

MINUTES  
BOARD OF SUPERVISORS  
COUNTY OF YORK

Regular Meeting  
November 18, 2003

7:00 p.m.

Meeting Convened. A Regular Meeting of the York County Board of Supervisors was called to order at 7:00 p.m., Tuesday, November 18, 2003, in the Board Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and Thomas G. Shepperd.

Also in attendance were James O. McReynolds, County Administrator; J. Mark Carter, Assistant County Administrator; and James E. Barnett, County Attorney.

Invocation. Pastor M. A Truckenmiller from Breakthrough Worship Center gave the invocation.

Pledge of Allegiance to the Flag of the United States of America. Chairman Burgett led the Pledge of Allegiance.

**PRESENTATIONS**

**VIRGINIA LAW ENFORCEMENT PROFESSIONAL STANDARDS COMMISSION (VLEPSC)**

Mr. Ernie O'Boyle, Director of the Virginia Accreditation Center, appeared to award the Sheriff's Department with a Certificate of Professional Accreditation. He elaborated on the agency, and the requirements needed to meet this accreditation. The agency is a support service for those agencies seeking accreditation through the Virginia Law Enforcement Professional Standards Commission. He then introduced Poquoson Police Chief Jack White who presented the award to Sheriff Diggs.

Chairman Burgett pointed out that this is the first time in history the Sheriff's office has become accredited.

**FISCAL YEAR 2003 AUDIT REPORT**

Mr. Jimmy Haggard, a partner with the firm of Goodman and Company, appeared to make a presentation on the York County Financial Statement. He mentioned that the format of the statement had changed significantly over what the Board had viewed in prior years. He stated an unqualified report had been issued on the comprehensive annual financial statements, which is the highest reporting standard available. He explained that the Code of Virginia required annual financial statements to be audited by an independent auditor and an auditor of public accounts. The audit is conducted for the purpose of having an independent, third-party entity review accounting transactions and policies to determine compliance with laws and regulations.

**CITIZENS COMMENT PERIOD**

Ms. Jeanette Carter, 819 Baptist Road, shared her concerns over the upland wetlands area of her neighborhood and the construction that has taken place. She asked the Board of Supervisors and the Planning Commission to consider what she had to say.

**COUNTY ATTORNEY REPORTS AND REQUESTS**

Mr. Barnett provided the Board with information on the General Assembly and its activities. He stated one item focused on a statewide telecommunications tax that may be included in the 2005 proposals. He reported on the progress made with the Watermen's Museum in connection with the Yorktown Riverwalk Project.

### **COUNTY ADMINISTRATOR REPORTS AND REQUESTS**

Mr. McReynolds reminded the Board of its joint meeting with the School Board on November 25 at 6:00 p.m. in the Grafton High/Middle School library. He reminded the Board of its next few meetings – a regular meeting on December 2; a work session on December 9; the last regular meeting on December 16; and the organizational meeting on January 6, 2004. He informed the Board that the previously approved sale of Industrial Development bonds took place today and with a favorable interest rate of 4.14 percent for 20 years. He stated that both Moody's and Standard & Poor's bond rating agencies rated the bonds at the AA levels, which is an excellent rating. He noted that the financial statements presented this evening represented a very strong financial position that reflects the policies of the Board and is one of the major reasons for the high ratings. He discussed the work session earlier this evening with the recommendation from the Board that the no-fee building permits for hurricane-related repairs be extended for another 90 days.

Mr. Zaremba mentioned the postcards that were mailed out with the date of November 23 as the last day to have debris picked up. He asked Mr. McReynolds to elaborate on the debris pick-up.

Mr. McReynolds explained that citizens are required to put debris at the shoulder of the road for pick up by the 23rd of November. After December 1, the County's regular program for debris pickup will return. He stated he would check with the Federal Emergency Management Association (FEMA) to discuss possible pickup where extreme cases of debris still exist.

### **MATTERS PRESENTED BY THE BOARD**

Mr. Zaremba thanked the citizens of District 1 for electing him to another four-year term. He promised the citizens to provide the same kind of performance and dedication as he has shown over the last eight years. He mentioned the FY05 budget and the opportunity for citizens to get involved in the budget process. He mentioned recent newspaper articles on budget shortfalls around the country and spoke on issues before the General Assembly including tax reform. He expressed his concern that the State may provide less support towards the County's budget, specifically the schools' budget. Mr. Zaremba encouraged everyone to stay informed on budget issues and communicate their concerns to their representatives.

Mr. Shepperd also thanked the citizens of his district for re-electing him. He stated that even though being a supervisor was considered a part-time job, it was really a labor of love and he elaborated on some the activities in which he has been involved during his tenure on the Board. He noted he serves as the Board's representative to the Hampton Roads Planning District Commission and the Regional Issues Committee, which will be discussing how communities and their policies affect one another. He explained they will be addressing some zoning and economic development issues surrounding Williamsburg. He then noted he had attended the Transportation Safety Commission meeting, and he mentioned his involvement with the Youth Commission. He stated the Veteran's Day Celebration held in Yorktown was a very moving event, and he felt it was one of the best Veteran's Day presentations he has ever attended.

Mrs. Noll thanked the voters in her district for putting their trust in her again for another four years. She stated she is looking forward to working with the citizens for another four years and indicated the supervisors need to hear from and work together with citizens. She mentioned the wonderful job the volunteers do during the election period, and she encouraged more people to volunteer. She remarked on the low turnout at the polls with only 30 percent of voters participating, and she reminded citizens that this is a democracy and everyone needs

to exercise their right to vote. Mrs. Noll noted the landscaping completed by the County on Route 199 and Mooretown Road.

Chairman Burgett also thanked the voters for re-electing him for another four-year term. He stated he would continue to do his best to serve the citizens of the County. He mentioned the 22nd Annual Occasion for Business and Industry hosted by the Industrial Development Authority and the Office of Economic Development. There were 17 businesses, either new or expanded, that were recognized for their excellence, resulting in \$87 million dollars added to the County's tax base allowing the County to keep its tax rate low. Mr. Burgett noted he had attended the 12th anniversary of the Senior Center which has an attendance of 20,000 visits per year. He discussed attending the annual VACO conference and a meeting with Delegate Harvey Morgan on the Virginia budget. He attended the grand opening of the Woods of Yorktown in Lackey, and discussed the history of the apartments and the previous crime associated within that neighborhood before the renovation. He commended the developer for turning the apartments into a desirable living area. He stated he had received many compliments on the busy landfill staff in helping direct traffic at the debris management site. He addressed his concerns over the insufficient 35-foot buffer along Route 134 in front of the new storage facility, and he asked staff to look into it.

### **CONSENT CALENDAR**

Mrs. Noll moved that the Consent Calendar be approved as submitted, Item Nos. 4, 5, 6, and 7 respectively.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

Thereupon, the following minutes were approved and resolutions adopted:

#### **Item No. 4. APPROVAL OF MINUTES**

The minutes of the following meeting of the York County Board of Supervisors were approved:

October 7, 2003, Regular Meeting  
October 15, 2003, Adjourned Meeting  
October 21, 2003, Regular Meeting  
October 28, 2003, Adjourned Meeting

#### **Item No. 5. PURCHASE AUTHORIZATION: Resolution No. R03-180.**

A RESOLUTION TO AUTHORIZE THE COUNTY ADMINISTRATOR  
TO EXECUTE AGREEMENTS FOR THE PROCUREMENT OF  
MEDICAL SERVICES FOR FIREFIGHTERS, AND UNDERGROUND  
CONVERSION OF OVERHEAD POWER LINES

WHEREAS, it is the policy of the Board of Supervisors that all procurements of goods and services by the County involving the expenditure of \$30,000 or more be submitted to the Board for its review and approval; and

WHEREAS, the County Administrator has determined that the following procurements is necessary and desirable, that it involves the expenditure of \$30,000 or more, and that all applicable laws, ordinances, and regulations have been complied with;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that the County Administrator be, and hereby is, authorized to execute procurement arrangements for the following:

	<u>AMOUNT</u>
Medical Services for Firefighters (estimate)	\$ 49,500
Underground conversion of Overhead Power Lines	294,575

Item No. 6. ARTS COMMISSION GRANTS PROGRAM: Resolution No. R03-172.

A RESOLUTION TO AMEND THE YORK COUNTY ARTS COMMISSION PROJECT AND CHALLENGE GRANT POLICIES

WHEREAS, the York County Arts Commission has reviewed the Project and Challenge Grant Policies and recommends revisions to these policies; and,

WHEREAS, according to the York County Arts Commission By-Laws, amendments to these policies require the approval of the York County Board of Supervisors;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18th day of November, 2003, that the Project and Challenge Grant Policies be, and are hereby, amended and adopted to read as set forth in the attachments to the County Administrator's memorandum to the Board of Supervisors dated November 6, 2003.

Item No. 7. SPONSORSHIP OF ZONING ORDINANCE TEXT AMENDMENT: Resolution No. R03-185.

A RESOLUTION TO SPONSOR AN APPLICATION TO AMEND SECTIONS 24.1-306, TABLE OF LAND USES, 24.1-466, STANDARDS FOR ALL RETAIL USES, 24.1-467, STANDARDS FOR CONVENIENCE STORES, 24.1-477, STANDARDS FOR AUTO FUEL DISPENSING ESTABLISHMENTS, SERVICE STATIONS AND AUTO REPAIR GARAGES, AND 24.1-478, STANDARDS FOR CAR WASHES OF CHAPTER 24.1, ZONING (YORK COUNTY CODE) TO ADJUST THE PROCEDURES UNDER WHICH CERTAIN USES ARE PERMITTED AND THE PERFORMANCE STANDARDS APPLICABLE TO THOSE USES

WHEREAS, as a result of the efforts and recommendations of the Route 17 Revitalization Committee, it has come to the attention of the Board of Supervisors that certain uses can, particularly if abandoned, have a detrimental impact on the economic vitality and appearance of commercial corridors; and

WHEREAS, the Route 17 Revitalization Committee has recommended that the procedures for permitting certain automobile related uses be examined and that appropriate performance standards be developed to ensure that such uses, if permitted, will continue to be positive elements of the commercial corridors in which they are located; and

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 18th day of November, 2003, that it does hereby sponsor an application to amend Sections 24.1-306, 24.1-466, 24.1-467, 24.1-477, and 24.1-478 of the Zoning Ordinance (Chapter 24.1, York County Code) to establish Special Use Permit requirements for certain auto-related uses and to establish additional performance standards related to their development and continued operation;

BE IT FURTHER RESOLVED that the following proposed wording be, and it is hereby, forwarded to the York County Planning Commission for review and recommendation in accordance with applicable procedures.

## Section 24.1-306 Table of land Uses

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P=PERMITTED USE S=PERMITTED BY SPECIAL USE PERMIT  <b>USES</b>	<b>RESIDENTIAL DISTRICTS</b>						<b>COMMERCIAL AND INDUSTRIAL DISTRICTS</b>							
	RC	RR	R2 0	R1 3	R7	RM F	NB	LB	GB	WCI	EO	IL	IG	
	CATEGORY 10 - COMMERCIAL / RETAIL <sup>1</sup>													
1. Antiques/Reproductions, Art Gallery							P	P	P	P	P			
2. Wearing Apparel Store							P	P	P		P			
3. Appliance Sales									P		P			
4. Auction House								P	P		S			
5. Convenience Store							S	S	SP		S			
6. Grocery Store							P		P		P			
7. Book, Magazine, Card Shop							P	P	P		P			
8. Camera Shop, One-Hour Photo Service							P	P	P		P		P	
9. Florist							P	P	P		P		P	
10. Gifts, Souvenirs Shop								P	P		P			
11. Hardware, Paint Store								P	P		P	P	P	
12. Hobby, Craft Shop								P	P		P			
13. Household Furnishings, Furniture									P		P			
14. Jewelry Store								P	P		P			
15. Lumberyard, Building Materials									S			P	P	
16. Music, Records, Video Tapes								P	P		P			
17. Drug Store							S	S	P		P			
18. Radio and TV Sales								S	P		P			
19. Sporting Goods Store								P	P		P			
20. Firearms Sales and Service								S	S		S			
21. Tobacco Store								P	P		P			
22. Toy Store								S	P		P			
23. Gourmet Items/Health Foods/Candy/Specialty Foods/Bakery Shops							P	P	P		P			
24. ABC Store								P	P		P			
25. Bait, Tackle/Marine Supplies Including Incidental Grocery Sales									P	P	P	S	S	
26. Office Equipment & Supplies								P	P		P	P	P	
27. Pet Store							S	P	P		P			
28. Bike Store, Including Rental/Repair							P	P	P		P		P	
29. Piece Goods, Sewing Supplies							P	P	P		P			
30. Optical Goods, Health Aids or Appliances								P	P		P		P	
31. Fish, Seafood Store									P	P	P			

32. Department, Variety, Discount Store									P		P		
33. Auto Parts, Accessories (new parts)								P	P		P		
34. Second Hand, Used Merchandise Retailers (household items, etc.)								P	P				
a) without outside display/storage								S	S				
b) with outside display/storage													
35. Storage shed and utility building sales/display									S			P	P
36. Home Improvement Center											P		

<sup>1</sup>See Section 24.1-466(g) for special provisions applicable to developments with 80,000 or more square feet of gross floor area.

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<i>P=PERMITTED USE</i> <i>S=PERMITTED BY SPECIAL USE PERMIT</i>  <b>USES</b>	<b>RESIDENTIAL DISTRICTS</b>						<b>COMMERCIAL AND INDUSTRIAL DISTRICTS</b>						
	RC	RR	R2 0	R1 3	R7	RM F	NB	LB	GB	WC I	EO	IL	IG
	<b>CATEGORY 12 - MOTOR VEHICLE / TRANSPORTATION</b>												
1. Car Wash								S	<u>PS</u>		S		
2. Automobile Fuel Dispensing Establishment/Service Station (May include accessory convenience store and/or car wash)									<u>PS</u>		S	<u>PS</u>	
3. Auto Repair Garage									S			P	P
4. Auto Body Work & Painting												P	P
5. Auto or Light Truck Sales, Rental, Service ( <a href="#">New vehicles w/incidental used vehicles sales</a> ) (Including Motorcycles or R.V.'s)									P		S	P	P
a) Without Auto Body Work & Painting													
b) With Body Work & Painting									S		S	S	P
<a href="#">5a. Used Vehicle Sales</a>									<u>S</u>				
6. Heavy Truck and Equipment Sales, Rental, Service									S			P	P
7. Farm Equipment Sales, Rental, Service									S			P	P
8. Manufactured Home Sales, Rental, Service									S			S	S
9. Boat Sales, Service, Rental, and Fuel Dispensing									P	P		S	
10. Marine Railway, Boat Building and Repair										P		P	P

Building and Repair													
11. Truck Stop												S	S
12. Truck Terminal												P	P
13. Heliport									S		S	S	S
14. Helipad									S		S	P	P
15. Airport											S	S	S
16. Bus or Rail Terminal									P		S	P	P
17. Taxi or Limousine Service									P			P	
18. Towing Service / Auto Storage or Impound Yard												S	S
19. Automobile Graveyard, Junkyard													S
20. Bus Service/Repair Facility												P	P

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## DIVISION 9. COMMERCIAL AND RETAIL USES (CATEGORY 10)

**Sec. 24.1-466. Standards for all commercial and retail uses.**

- (a) All off-street parking and loading space for all commercial and retail uses shall be located not less than twenty-five feet (25') ~~(7.5m)~~ from any residential property line and shall be effectively screened from view from adjacent residential properties by landscaping, supplemented, as necessary, with appropriate fencing materials. This setback/screening requirement shall also apply to all circulation drives and stacking spaces.
- (b) When located in or adjacent to a residential area, the external appearance and arrangement of such facility shall be of a form, character, appearance and arrangement fully compatible with the residential area.
- (c) Outdoor lighting shall be sufficient to protect public safety; however, it shall be directed away from property lines and rights-of-way and shall not cast unreasonable or objectionable glare on adjacent properties and streets. All site lighting fixtures shall be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA), and shall have fully shielded and recessed luminaries with horizontal-mount flat lenses.
- (d) Outdoor speaker or paging systems shall be directed away from property lines and shall not be audible on adjacent properties or rights-of-way.
- (e) Appropriate and adequate facilities for accommodating bicycle parking and other alternative transportation modes shall be provided which are safe, secure, and convenient.
- (f) The minimum setback for structures such as fuel dispensing pumps, pump islands, canopies, customer service kiosks, and similar uses shall be forty feet (40') ~~(12m)~~ unless the district in which the use is located allows a lesser setback for the principal structure.
- (g) Any fuel dispensing or car wash activities conducted as accessory uses in conjunction with a commercial or retail operation shall be subject to the performance standards set forth in sections 24.1-475, 477, and 478 of this chapter.
- (h) For retail uses otherwise permitted as a matter of right under the provisions of Section 24.1-306, a special use permit shall be required for any proposed development having 80,000 or more square feet of gross floor area. Any redevelopment involving an addi-

tion, expansion, renovation, enlargement, or other modification of an existing development that would increase the gross floor area to 80,000 or more square feet shall be subject to the standards and procedures applicable to amendment of special use permits set forth in Section 24.1-115(d) of this chapter.

**Sec. 24.1-467. Standards for convenience stores.**

- (a) Convenience stores may have access only to streets classified as major collectors or a higher order.
- (b) A traffic impact analysis must be performed in accordance with the requirements of article II, division 5. The recommended improvements must be fully implemented provided, however, that the zoning administrator shall require such additional improvements or traffic restrictions as may be necessary to ensure traffic safety and preserve roadway capacity.
- (c) Deliveries to such uses located adjacent to residential areas shall not occur after 11:00 p.m. or before 6:00 a.m.
- (d) Site lighting shall be provided by fixtures which are compatible in style and illumination levels with the architecture of the principal building on the site and are not greater than twenty-five feet (25') in height.
- (e) Any fuel dispensing or car wash activities conducted as accessory uses in conjunction with a convenience store operation shall be subject to the performance standards set forth in sections 24.1-475, 477, and 478 of this chapter.

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**DIVISION 11. MOTOR VEHICLE AND TRANSPORTATION RELATED USES (CATEGORY 12)**

**Sec. 24.1-475. Standards for all motor vehicle and transportation related uses.**

- (a) All off-street parking and loading space for motor vehicle and transportation related uses shall be located not less than thirty-five feet (35') ~~-(10.5m)~~ from any residential property line and shall be effectively screened from view from adjacent residential properties by landscaping, supplemental, as necessary, with appropriate fencing materials. This setback/screening requirement shall also apply to all circulation drives and stacking spaces.
- (b) Outdoor lighting shall be sufficient to protect public safety; however, it shall be directed away from property lines and rights-of-way and shall not cast unreasonable or objectionable glare on adjacent properties and streets. All site lighting fixtures shall be full-cutoff, as defined by the Illuminating Engineering Society of North America (IESNA), and shall have fully shielded and recessed luminaries with horizontal-mount flat lenses.
- (c) Outdoor speaker or paging systems shall be directed away from property lines and shall be designed to prevent objectionable noise levels on adjacent properties or streets. The playing of music on any outdoor speaker systems at a volume that can be heard at the property line shall be prohibited.
- (d) The minimum setback for structures such as fuel dispensing pumps, pump islands, canopies, customer service kiosks, and similar uses shall be forty feet (40') ~~-(12m)~~ unless the district in which located allows a lesser setback for the principal structure. All lighting mounted on or under canopies shall be full-cutoff or recessed fixtures. No signage shall be attached to the canopy.
- (e) Garage bay doors and semi-enclosed vehicle bays shall be screened from direct view from public streets by a combination of landscaping and earthforms. Any berms used



shall comply with the requirements for providing sight triangles contained in section 24.1-242(c).

- (f) Landscape plans for motor vehicle and transportation related uses shall be prepared and certified by a Virginia certified landscape architect.
- (g) A hazardous materials management and stormwater runoff control plan detailing the methods to be employed to ensure that no hazardous or petroleum-based products are permitted to infiltrate into groundwater or surface water resources shall be prepared, submitted to, and approved by the health department, the department of environmental and development services and department of public safety prior to receiving site plan approval for such uses.
- (h) No vehicle parking, storage or display associated with such uses shall be permitted to occur on adjacent public rights-of-way.

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**Sec. 24.1-477. Standards for auto fuel dispensing establishments, service stations and auto repair garages.**

Automobile fuel dispensing establishments, service stations, and auto repair garages shall comply with the following standards:

- (a) Automobile service and minor repairs shall be deemed to include engine tuneups, oil changes and lubrication, and the repair or installation of mufflers, tailpipes, exhaust pipes, catalytic converters, brakes, shock absorbers, tires, batteries, and similar automotive components as determined by the zoning administrator. Repairs specifically shall not include body work and painting.
- (b) All repair or installation work shall be conducted indoors. Used or damaged equipment removed from vehicles during the repair process shall be stored indoors or shall be deposited in an approved covered outdoor collection receptacle for appropriate off-site disposal.
- (c) Temporary overnight outdoor storage and parking of vehicles waiting for repair or pickup shall be permitted. Appropriate and adequate parking areas shall be provided and set aside on the site for such vehicles. No long-term (ninety (90) days or more) storage and parking of vehicles which require major repair work shall be permitted.
- (d) Landscaping supplemented by fencing if necessary shall be utilized to fully screen vehicular storage areas and to partially screen direct views of fuel islands, structures, and service bays from adjacent properties and rights-of-way. The plan to accomplish this shall be designed and prepared by a certified landscape architect.
- (e) A traffic impact analysis must be performed in accordance with the requirements for same contained in article II. The recommended improvements must be fully implemented provided, however, that the zoning administrator shall require such additional improvements or traffic restrictions as may be necessary to ensure traffic safety and preserve roadway capacity.
- (f) No logo, brand name, or sign which is legible from adjacent public roads may be placed on pumps or pump islands.
- (g) Site lighting shall be provided by fixtures which are compatible in style and illumination levels with the architecture of the principal building on the site and are not greater than twenty-five feet (25') ~~7.5m~~ in height.
- (h) In the event the fuel dispensing activity ceases at the automobile fuel supply establishment, written notice shall be provided by the owner/operator to the Zoning Administra-

tor within seven days after such fuel dispensing activity ceases. In the event the fuel dispensing activity remains inactive for a period in excess of nine (0) months, the owner/operator shall be responsible for performing the following:

- a. the tanks, fueling equipment (including the gas pumps and fueling islands) shall be removed;
- b. the canopy shall be removed;
- c. any inactive accessory car wash equipment associated with the fuel dispensing activity and the structure surrounding same shall be removed;
- d. the real property in or on which the improvements listed in subsection (a), (b), and (c) above, are placed or constructed shall be restored to the same grade or condition as the remainder of the parking lot and maintained either as landscaped green area or as paved area until a new site plan for same has been approved by the County. Except in the restored area that is established as landscaped green area, the paved area shall be re-stripped to match the remainder of the parking lot.

**Sec. 24.1-478. Standards for car washes.**

Car washes, whether a principal or accessory use, shall comply with the following standards:

- (a) Car washes shall utilize a low-volume water recycling system which provides for an average of at least eighty percent (80%) recycled water per wash.
- (b) A traffic impact analysis must be performed in accordance with the requirements in article II, division 5. The recommended improvements must be fully implemented provided, however, that the zoning administrator shall require such additional improvements or traffic restrictions as may be necessary to ensure traffic safety and preserve roadway capacity.
- (c) Site lighting shall be provided by fixtures which are compatible in style and illumination levels with the architecture of the principal building on the site and are not greater than twenty-five feet (25') ~~{7.5m}~~ in height.
- (d) In the event the car wash activity, whether it is the principal or accessory use of the property, ceases operation, written notice shall be provided by the owner/operator to the Zoning Administrator within seven days after such activity ceases. In the event the car wash activity remains inactive for a period in excess of nine (9) months, the owner/operator shall be responsible for performing the following:
  - 1. all car wash equipment and the structure surrounding same shall be removed;
  - 2. the real property inn or on which the improvements listed in subsection (1) above, are placed or constructed shall be restored to the same grade or condition as the remainder of the parking lot and maintained either as landscaped green area or as paved area until a new site plan for same has been approved by the County. Except in the restored area that is established as landscaped green area, the paved area shall be re-stripped to match the remainder of the parking lot.

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**NEW BUSINESS**

**DISASTER RELIEF PROGRAM**

November 18, 2003

Mrs. Anne Smith, Director of Community Services, provided the Board with a proposal for a Disaster Relief Program that would be reserved exclusively for York County residents, and would provide a level of assistance to some of the County's citizens in need of disaster relief. This relief included food, medications, fuel, debris removal, flood clean up, deposits, assistance with alternative or temporary housing, and home repairs. She explained how the funds would be maintained, and noted they would only be used for disaster related needs and managed by Community Services. This program would rely heavily on the generosity of organizations, businesses, individuals and other members of the community.

Mrs. Noll asked if interest would accrue to the account.

Mrs. Smith verified that interest would accrue in the account.

Mr. Zaremba questioned where the funds would come from.

Mrs. Smith explained that this fund would be primarily from donations since the federal programs tend to have restrictions and conditions.

Discussion ensued on the disaster relief fund.

Mrs. Noll then moved the adoption of proposed Resolution R03-181 that reads:

A RESOLUTION TO AUTHORIZE A DISASTER RELIEF PROGRAM  
FOR YORK COUNTY RESIDENTS

WHEREAS, the County of York, its community and its residents, were devastated by Hurricane Isabel in September, 2003; and

WHEREAS, County government has been working within the parameters of existing programs, policies, and procedures in efforts to meet the needs of County residents; and

WHEREAS, York County businesses, organizations and citizens have responded with great compassion and extraordinary generosity to our citizens in this time of need and as a consequence of this great outpouring of generosity, it is now appropriate for the Board of Supervisors to establish a specific disaster relief program;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that the ***York County Disaster Relief Program*** be established effective November 18, 2003, for the purposes of distributing any donations or contributions that may be made on behalf of County residents.

BE IT FURTHER RESOLVED that the specific terms and conditions of any donation or contribution will apply, but in general it is the expectation of the Board of Supervisors that the Program is to be served solely for York County residents, is to be used for disaster related needs which may include replacement of food, medicines, fuel; debris removal and clean-up; home repairs; temporary or alternative housing and associated deposits; deductibles; and other such compelling needs that may arise.

BE IT STILL FURTHER RESOLVED that this Program is to be managed and implemented by the Community Services Department for the needs of County residents but done so strictly in accordance with the terms and conditions specified by each donor and that any such donations received will be maintained in separate accounts and will not be used for other governmental purposes.

On roll call the vote was:

Yea:	(5)	Noll, Wiggins, Shepperd, Zaremba, Burgett
Nay:	(0)	

Meeting Recessed. At 7:51 p.m. Chairman Burgett declared a short recess.

Meeting Reconvened. At 8:01 p.m. the meeting was reconvened in open session by order of the Chair.

## **PUBLIC HEARINGS**

### **RIGHT-OF-WAY AGREEMENTS WITH VIRGINIA POWER FOR EASEMENT CONVEYANCE**

Mr. Barnett gave a presentation on proposed Resolution R03-160 to authorize the execution of right-of-way agreements with Virginia Power to convey easements for the purpose of placing underground utility lines across property owned by the County at the intersection of Water and Buckner Streets.

Mr. Zaremba asked if there were any controversies with the easements with respect to the property owners in village.

Mr. Barnett stated he was not aware of any problems.

Chairman Burgett called to order a public hearing on proposed Resolution R03-160 that was duly advertised as required by law and is entitled:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO EXECUTE A RIGHT OF WAY AGREEMENT WITH VIRGINIA  
POWER TO CONVEY AN EASEMENT FOR THE PURPOSE OF  
PLACING UTILITY LINES UNDERGROUND ACROSS PROPERTY  
OWNED BY THE COUNTY IN YORKTOWN AT THE INTERSEC-  
TION OF WATER STREET AND BUCKNER STREET

There being no one present who wished to speak concerning the subject Resolution, Chairman Burgett closed the public hearing.

Mrs. Noll then moved the adoption of proposed Resolution R03-160 that reads:

A RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR  
TO EXECUTE A RIGHT OF WAY AGREEMENT WITH VIRGINIA  
POWER TO CONVEY AN EASEMENT FOR THE PURPOSE OF  
PLACING UTILITY LINES UNDERGROUND ACROSS PROPERTY  
OWNED BY THE COUNTY IN YORKTOWN AT THE INTERSEC-  
TION OF WATER STREET AND BUCKNER STREET

WHEREAS, at the County's request, Virginia Power has been engaged in a project to place overhead utility lines in Yorktown underground, and to that end has requested a fifteen (15) foot wide utility easement across property owned by the County located at 400 Water Street, Yorktown; and

WHEREAS, following a duly advertised public hearing, the Board has determined that it is in the public interest that such easement be granted;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that the County Administrator be and hereby is authorized to execute a right of way agreement conveying to Virginia Electric and Power Company a fifteen (15) foot wide utility easement in the location shown on the plat attached to the County Attorney's memorandum of October 13, 2003, such plat being identified as Virginia Electric and Power Company Plat Number 22-03-0158, such right of way agreement to be approved as to form by the County Attorney.

On roll call the vote was:

Yea:	(5)	Wiggins, Shepperd, Zaremba, Noll, Burgett
Nay:	(0)	

ABATEMENT OF REAL ESTATE TAX LEVIES

Mrs. Carol White, Director of Financial Services, gave a presentation on proposed Ordinance No. 03-40 to amend the York County Code to allow for the abatement of real estate tax levies on buildings razed, destroyed, or damaged by natural or accidental events and through no fault of the owner.

Mr. Zaremba asked if someone from the tax assessor's office would go out and reaccess homes based on damages.

Mrs. White explained that structures that were damaged or deemed uninhabitable would come off the tax rolls. The land and any other undamaged structures would stay on the tax rolls. She explained the application process will be made available on-line with a deadline of six months from the date of the storm for uninhabitable properties. If the house has to be demolished, she stated the deadline is six months from the date that it is torn down.

Mr. Wiggins asked if the amount of time the citizens have to stay out of their home is the amount of taxes that they do not pay.

Mrs. White stated the home would come off the tax roll beginning the day of the storm until the home becomes habitable.

Chairman Burgett called to order a public hearing on proposed Ordinance No. 03-40 that was duly advertised as required by law and is entitled:

AN ORDINANCE TO ADD SECTION 21.7-7 TO THE YORK  
COUNTY CODE TO ALLOW FOR THE ABATEMENT OF REAL ES-  
TATE TAX LEVIES ON BUILDINGS RAZED, DESTROYED, OR  
DAMAGED BY NATURAL OR ACCIDENTAL EVENTS AND  
THROUGH NO FAULT OF THE OWNER

There being no one present who wished to speak concerning the subject ordinance, Chairman Burgett closed the public hearing.

Mr. Zaremba then moved the adoption of proposed Ordinance R03-40 that reads:

AN ORDINANCE TO ADD SECTION 21.7-7 TO THE YORK  
COUNTY CODE TO ALLOW FOR THE ABATEMENT OF REAL ES-  
TATE TAX LEVIES ON BUILDINGS RAZED, DESTROYED, OR  
DAMAGED BY NATURAL OR ACCIDENTAL EVENTS AND  
THROUGH NO FAULT OF THE OWNER

WHEREAS, Section 58.1-3222 of the Code of Virginia allows that the governing body of any county or city may provide for the abatement of levies on buildings which are (i) razed, or (ii) destroyed or damaged by a fortuitous happenings beyond the control of the owner, and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing concerning this ordinance, and

WHEREAS, the Board has carefully considered the public comments with respect to this issue; and

WHEREAS, the County of York desires to enact such an ordinance;

NOW, THEREFORE, BE IT ORDAINED by the York County Board of Supervisors this 18<sup>th</sup> day of November, 2003, that York County Code Section 21.7 be, and it is hereby amended to read;

**Sec. 21-7.7. Abatement of levies on buildings razed, destroyed, or damaged by natural or accidental events.**

Buildings which are razed, destroyed, or damaged due to a natural or accidental event and through no fault of the owner shall receive an abatement for real estate tax levies computed according to the ratio which the portion of the year the building was fit for use, occupancy, or enjoyment bears to the entire year. No such abatement shall occur unless:

1. The destruction or damage to such building decreases its value by \$500 or more;
2. The destruction or damage to such building renders it unfit for use and occupancy for 30 or more days during the year; and
3. The owner of such building makes application for the abatement within six months of the date on which the building was razed, destroyed, or damaged.

**State law reference** – Code of Va., §58.1-3222.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

APPLICATION NO. UP-624-03, HOME DEPOT USA, INC.

Mr. Carter gave a presentation on Application No. UP-624-03 to approve a use permit authorizing a home improvement center of more than 80,000 square feet of gross floor area to be located on a portion of property located at 6700 Mooretown Road. The Planning Commission considered the application and forwarded it to the Board of Supervisors with a recommendation of approval, and staff recommended approval of the application through the adoption of proposed Resolution R03-178.

Mrs. Noll asked about the 132,873 square foot size of the proposed building compared to the size of Lowe's.

Mr. Carter stated Lowe's was approximately 120,000.

Mr. Wiggins inquired if the buffer to the watershed had been reduced.

Mr. Carter advised that it had not been reduced.

Mr. Shepperd pointed out the City of Williamsburg's objections to the application concerning bulk storage of chemicals being close to the water protection area and the green space surrounding the front of the building. He asked Mr. Carter to elaborate.

Mr. Carter explained that the ordinance contained a prohibition against bulk storage of hazardous materials, petroleum products, etc., within a certain distance of the reservoir itself. He noted the type of storage that is associated with a retail store does not qualify as bulk storage.

Mr. Carter explained that if Mooretown Road were a greenbelt road, the greenbelt requirement would not apply to the Home Depot site; it would apply to the out parcels that are left in front. He noted there was a proffered 35-foot, undisturbed landscaped area that Mr. Wilkinson proffered when he had the property rezoned and that must be maintained along the Mooretown Road frontage.

Mr. Zaremba talked about the character of that area's development and the sort of environment that Mooretown Road presents. He mentioned the professional offices and the surrounding buildings in the vicinity and stated he had some visual problems associated with the large Home Depot building and the impervious surface. He asked about the parking lot spaces compared to Lowe's and Walmart.

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Mr. Carter stated it would be approximately the size of the Lowe's lot. He pointed out that some parking recommendations would be forthcoming from the Planning Commission which would allow for a reduction in the number of parking spaces for this type of facility.

Mr. Zaremba stated he did not want to have another Jefferson Avenue-type product in that area. He emphasized the conditions the Board put on the Walmart development, and stated he was concerned with the appearance of the proposed Home Depot. He voiced his concerns on the survival rate of the business due to the close proximity of the Lowe's facility. He also discussed the tax revenues the two competitors may generate and the traffic impact from such a facility.

Discussion ensued on the proposed Home Depot.

Mr. Rich Costello, A & S Consulting Engineers, appeared to introduce those responsible for the development of the Home Depot.

Chairman Burgett asked if Home Depot was the largest company of its kind in the United States.

Mr. Tom Gallagher, representative of Home Depot, stated they have 1,600 stores and are considered the largest home improvement center company in the United States.

Mr. Shepperd questioned why many times Home Depot and Lowe's were so close in proximity and how that closeness may impact both stores economically.

Mr. Gallagher stated it was not unusual to see the two stores co-exist. He further explained some of the statistics of the business, noting that Home Depot and Lowe's only received 18 percent of the \$500 to \$600 billion attributable to home improvement sales each year. He then elaborated on the home improvement industry as a whole and the massive earning capacity those facilities can have.

Mr. Zaremba asked when they would expect an opening.

Mr. Gallagher stated they expected to open in February or March, 2005.

Chairman Burgett called to order a public hearing on Application No. UP-624-03 that was duly advertised as required by law. Proposed Resolution R03-178 is entitled:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A HOME IMPROVEMENT CENTER AT 6700 MOORETOWN ROAD

There being no one present who wished to speak concerning the subject resolution, Chairman Burgett closed the public hearing.

Mr. Wiggins discussed Virginia's gloomy state of economy and stated even with the possible restructuring of the tax system, there still won't be much left for the local government. He acknowledged the businesses in the County that help generate revenues, and stated he doesn't feel that anything is being sacrificed in this project and that it would be beneficial for the area.

Mr. Shepperd mentioned his concerns with growth in the County and the need to consider the tax revenue that is going to pay for the services afforded to the citizens. He stated he is sensitive to both Williamsburg and James City County's concerns, but stated the aesthetics on the building will make it a good fit with the County's plan and a good move for York County.

Mr. Zaremba stated he felt that the weight of the argument was more favorable than it was against the argument.

Mrs. Noll stated there has to be a balance, and it is not always about how much money the County can generate. She stated it is about the quality of life that the County provides for its citizens. She stated the development was consistent with the County's plan, the proposed

building was attractive, and she has spoken to many citizens who are looking forward to having it. She welcomed the project to the County.

Chairman Burgett stated that the piece of property had been earmarked for commercial development for at least 25 years. He remembered when the County's drive was to bring a store such as this into the County, and he stated this is an area where the time has come for York County. He stated it would be good for the citizens and an asset to the community.

Mrs. Noll then moved the adoption of proposed Resolution R03-178 that reads:

A RESOLUTION TO APPROVE A SPECIAL USE PERMIT TO AUTHORIZE THE ESTABLISHMENT OF A HOME IMPROVEMENT CENTER AT 6700 MOORETOWN ROAD

WHEREAS, Home Depot USA, L.P. has submitted Application No. UP-624-03, which requests a Special Use Permit, pursuant to Sections 24.1-306 (Category 10, No. 36) and 24.1-466(g) of the York County Zoning Ordinance, to authorize a home improvement center located at 6700 Mooretown Road (Route 603) and further identified as Assessor's Parcel No. 2-32; and

WHEREAS, said application has been forwarded to the York County Planning Commission in accordance with applicable procedure; and

WHEREAS, the Planning Commission recommends approval of this application; and

WHEREAS, the York County Board of Supervisors has conducted a duly advertised public hearing on this application; and

WHEREAS, the Board has carefully considered the public comments and Planning Commission recommendation with respect to this application;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18<sup>th</sup> day of November, 2003, that Application No. UP-624-03 be, and it is hereby, approved to authorize a Special Use Permit for the establishment of a home improvement center located at 6700 Mooretown Road subject to the following conditions:

1. This use permit shall authorize the establishment of a 132,873 square-foot home improvement center located at 6700 Mooretown Road (Route 603) and further identified as Assessor's Parcel No. 2-32.
2. A site plan prepared in accordance with the provisions of Article V of the York County Zoning Ordinance shall be submitted to and approved by the York County Department of Environmental and Development Services, Division of Development and Compliance prior to the commencement of any construction activities on the subject parcel. Except as modified herein, said site plan shall be in substantial conformance with the plan titled "The Home Depot, Conceptual Plan for Special Use Permit," Sheet 1 of 1, prepared by AES Consulting Engineers, dated 6/4/03 and revised 9/30/03, and building elevation titled "York County, Proposed Retail Development, The Home Depot," prepared by Greenberg Farrow Architecture dated September 18, 2003 and received by the Planning Division September 23, 2003.
3. Freestanding identification signage shall be limited to a single monument sign in substantial conformance with the monument sign elevation dated 8/28/03 and revised 9/22/03, prepared by Chandler Signs. Brick fascia used on the base of the sign shall match that of the building façade.
4. Free standing and building lighting shall incorporate the use of full cut-off fixtures that are shielded and directed downward to prevent off-site illumination. All lighting schemes and lighting fixtures shall be consistent with the lighting recommended by the Illumination Engineering Society of North America (IESNA).



5. To accomplish screening of the parking lot, landscaping in the 10-foot wide planting bed bordering the western end of the parking lot shall be a mix of evergreen trees and shrubs. Evergreen trees shall be spaced at a maximum of 20 feet. Landscaping in the side yards shall be a mix of evergreen and deciduous trees and shrubs, with not less than 50% of tree and shrub plantings as evergreen species.
6. Notwithstanding provisions of Section 24.1-376(e)(2) of the County Zoning Ordinance, there shall be no reduction of the 200-foot stream buffer paralleling Queen Creek.
7. Areas utilized for outdoor display of merchandise for sale on-premises shall be limited to those areas immediately in front of the face of the building and garden center, and shall not encroach upon parking spaces, aisles, designated required landscaped yards or infiltration yards.
8. All areas utilized for outdoor storage of materials shall be contained within fencing and screened from off-site view. If chain link or other similar open fencing is utilized, netting of a color, type, and material acceptable to the Zoning Administrator shall be installed on the fence.
9. Rooftop HVAC, electrical and similar utilities shall be screened from view of Mooretown Road.
10. The loading dock/compactor area shall be covered, and the compactor facility shall be constructed with waterproof flooring and walls.
11. Nothing in this Use Permit shall be construed as authorizing the proposed subdivision configuration creating a "pipe stem" at the northwest corner of the applicant's site as depicted in the above-referenced plan.
12. Nothing in this Use Permit shall be construed as authorizing the proposed "future joint/shared access easement" and corresponding driveway entrance within the northern end of the 3.7-acre residual parcel as shown on the above referenced plan.
13. The applicant shall provide right of vehicular access to future developers/property owners of parcels as may be subdivided from the abutting 3.7-acre residual parcel to connect, at their expense, their sites and the Home Depot parking area at such locations as are approved by the County.
14. Parking behind the rear of the building shall be designed to be located against the outside (western) edge of the site, and end landscape islands shall be installed in addition to the center island as shown on the above-referenced plan.
15. At the time of subdivision approval, a restricted access easement satisfactory to the Subdivision Agent shall be established along Mooretown Road across the entire frontage of the 27.6-acre subject parcel identified as Assessor's Parcel No. 2-32. In addition to the entrance in the southwest corner of the applicant's site as shown on the above-referenced plan, a second entrance may be approved by the Subdivision Agent to jointly serve the applicant's property and future parcels that may be subdivided from the 3.7-acre residual parcel shown on the plan, providing documentation satisfactory to the Subdivision Agent is submitted justifying the need for the entrance relative to public welfare and safety.
16. At time of subdivision approval, a joint access easement serving the applicant's parcel and the adjacent parcel to the south shall be established as generally shown in the southwest corner of the applicant's parcel on the above-referenced plan.
17. Calculation of minimum required parking spaces shall be exclusive of spaces utilized for cart storage.
18. In accordance with the provisions of Section 24.1-115(d) of the Zoning Ordinance, significant modifications to this approval as determined by the Zoning Administrator

shall require that a new use permit application be submitted for review. Modifications can be administratively approved if the Zoning Administrator determines the modification to be minor.

In accordance with Section 24.1-115(b)(7) of the York County Zoning Ordinance, a certified copy of the resolution authorizing this special use permit shall be recorded at the expense of the applicant in the name of the property owner as grantor in the office of the Clerk of the Circuit Court.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

**NEW BUSINESS** (continued)

**CARITAS CONTRIBUTION FOR DISASTER RELIEF**

Mrs. Smith gave a presentation on proposed Resolution R03-184 to accept and appropriate grant funding from Caritas to be used in the Disaster Relief Program.

Mr. Nick Barba and Mr. Junior Coxton appeared before the Board to make a donation to the County for the disaster relief program. They presented the County with a check in the amount of \$100,000.00.

Mrs. Smith then introduced all the members of the Caritas Board and Chairman Burgett presented them with a Proclamation read by Mr. Shepperd.

Chairman Burgett thanked the Caritas Board for all its support, including a \$12,000 grant for the Route 17 Revitalization project.

Mr. McReynolds explained the need to formally accept and appropriate this donation and to authorize the expenditure of the funds by appropriating them. He recommended the adoption of proposed Resolution R03-184.

Mrs. Noll then moved the adoption of proposed Resolution R03-184 that reads:

A RESOLUTION TO ACCEPT AND APPROPRIATE A GRANT OF  
\$100,000 FROM CARITAS, INC., TO BE USED IN THE YORK  
COUNTY DISASTER RELIEF PROGRAM FOR YORK'S RESIDENTS

WHEREAS, the County of York, its community and its residents, were devastated by Hurricane Isabel in September, 2003; and

WHEREAS, County government and York's businesses, organizations, and citizens have been working together to meet the needs of County residents; and

WHEREAS, Caritas, Inc., is a charitable foundation established in 1993 by York County's business leaders for the purposes of doing good works within the community and has throughout its tenure demonstrated a concern for the well-being of York's citizens; and

WHEREAS, the Board of Directors of Caritas has responded to the grave and urgent community needs resulting from the devastation created by Hurricane Isabel by offering a grant of \$100,000 to be used for disaster relief for York's residents;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that the grant of \$100,000 from Caritas, Inc., and other donations received for disaster relief be, and hereby are, accepted and appropriated to the **York County Disaster Relief Program**, to be maintained in separate accounts and to be implemented by the Community Services Department for the disaster related needs of residents of

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York County according to the Program criteria established by the Board of Supervisors and any additional requirements or restrictions as may be imposed by Caritas.

BE IT FURTHER RESOLVED that the Board of Supervisors expresses their admiration for this exceptional generosity and their gratitude to the members of Caritas who have responded with such great compassion and extraordinary kindness to our citizens in this time of need.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

**CLOSED MEETING.** At 9:02 p.m. Mr. Shepperd moved that the meeting be convened in Closed Meeting pursuant to Section 2.2-3711(a)(1) of the Code of Virginia pertaining to appointments to Boards and Commissions; and Section 2.2-33711(a)(5) of the Code of Virginia to discuss a prospective business or industry or expansion of an existing business or industry where no previous announcement has been made.

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zaremba, Noll, Burgett  
Nay: (0)

Meeting Reconvened. At 9:30 p.m. the meeting was reconvened in open session by order of the Chair.

Mrs. Noll moved the adoption of proposed Resolution SR-1 that reads:

A RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the York County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711.1 of the Code of Virginia requires a certification by the York County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors this the 18<sup>th</sup> day of November, 2003, hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the York County Board of Supervisors.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

APPOINTMENT TO THE PARKS AND RECREATION ADVISORY BOARD

Mr. Shepperd moved the adoption of proposed Resolution R03-175 that reads:

A RESOLUTION TO APPOINT REPRESENTATIVES TO THE PARKS  
AND RECREATION ADVISORY BOARD

BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that William T. Euker and David Malmquist be, and they are hereby, appointed to the York County Parks and Recreation Advisory Board for a term of four years, such term to begin January 1, 2004, and end December 31, 2007.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

APPOINTMENT TO THE YORK COUNTY LIBRARY BOARD

Mr. Wiggins moved the adoption of proposed Resolution R03-176 that reads:

A RESOLUTION TO APPOINT A REPRESENTATIVE TO THE YORK  
COUNTY LIBRARY BOARD

BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that Dana Burgett be, and she is hereby, appointed as a representative to the York County Library Board for a term of four years, such term to begin January 1, 2004, and end December 31, 2007.

On roll call the vote was:

Yea: (5) Zaremba, Noll, Wiggins, Shepperd, Burgett  
Nay: (0)

APPOINTMENT TO THE COLONIAL SERVICES BOARD

Mrs. Noll moved the adoption of proposed Resolution R03-183 that reads:

A RESOLUTION TO APPOINT A YORK COUNTY REPRESENTA-  
TIVE TO THE COLONIAL SERVICES BOARD

BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that Rebecca Rolston be, and she is hereby, appointed as a representative to the Colonial Services Board for a term of three years, such term to begin immediately and expire June 30, 2006.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

APPOINTMENT TO THE YORK COUNTY BOARD OF ZONING/SUBDIVISION APPEALS

Mrs. Noll moved the adoption of proposed Resolution R03-179 that reads:

A RESOLUTION TO RECOMMEND THE APPOINTMENT OF AN  
INDIVIDUAL TO THE YORK COUNTY BOARD OF ZON-  
ING/SUBDIVISION APPEALS

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WHEREAS, the term of Lee Riggins Rich on the York County Board of Zoning/Subdivision Appeals expires on December 31, 2003; and

WHEREAS, Ms. Rich was first appointed to the Board of Zoning/Subdivision Appeals on October 21, 1996; and

WHEREAS, Ms. Rich is eligible for reappointment to said Board and has indicated she wishes to serve another term;

NOW, THEREFORE, BE IT RESOLVED by the York County Board of Supervisors, this the 18th day of November, 2003, that either of the following individuals be, and they hereby are, recommended for appointment to the York County Board of Zoning/Subdivision Appeals, such term to begin January 1, 2004, and expire December 31, 2008:

Lee Riggins Rich

Susan J. DeMeno

On roll call the vote was:

Yea: (5) Wiggins, Shepperd, Zaremba, Noll, Burgett  
Nay: (0)

REAPPOINTMENT TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

Mr. Shepperd moved the adoption of proposed Resolution R03-177 which reads:

A RESOLUTION TO REAPPOINT A YORK COUNTY REPRESENTATIVE TO THE YORK-POQUOSON SOCIAL SERVICES BOARD

BE IT RESOLVED by the York County Board of Supervisors this 18th day of November, 2003, that Marycarol White be, and she is hereby, reappointed to the York-Poquoson Social Services Board for a term of four years, such term to begin January 1, 2004, and end December 31, 2007.

On roll call the vote was:

Yea: (5) Shepperd, Zaremba, Noll, Wiggins, Burgett  
Nay: (0)

Meeting Adjourned. At 9:32 p.m. Mr. Shepperd moved that the meeting be adjourned to 6:00 p.m., Tuesday, November 25, 2003, in the East Room, York Hall, for the purpose of conducting a work session.

On roll call the vote was:

Yea: (5) Noll, Wiggins, Shepperd, Zaremba, Burgett  
Nay: (0)

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James O. McReynolds, Clerk  
York County Board of Supervisors

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James S. Burgett, Chairman  
York County Board of Supervisors